

TOXIC SUBSTANCES CONTROL ACT (TSCA)

R6-12-5 Management of Polychlorinated Biphenyls (PCBs)

1. AUTHORITY. Pursuant to regulations promulgated under section 6(e) of the Toxic Substances Control Act (TSCA) and codified in 40 CFR part 750 and part 761:
  - a. To approve or disapprove a self-implementing cleanup of, or changes to an approved cleanup of, PCB remediation waste;
  - b. To grant, deny, and revoke TSCA PCB Coordinated Approvals;
  - c. To grant an application for a variance from the performance criteria applicable to a boiler that burns used oil;
  - d. To approve requests to collect a surface sample from a natural gas pipe segment or pipeline section where the surface area is <100 cm<sup>2</sup>.
  - e. To waive notification of commencement of research and development for disposal activity or of self-implementing cleanup of PCB remediation waste.
  - f. To approve or deny applications for risk-based sampling, cleanup, storage, decontamination, or disposal of PCBs;
  - g. To require, allow, restrict, or prohibit PCB management activities based on a finding that the activity does or does not present an unreasonable risk of injury to health or the environment;
  - h. To request or require information or data on the nature, location, and extent of PCB contamination;
  - i. To extend the limits on volume, concentration, or duration for PCB disposal activities and to extend the time limits for complying with PCB regulations, where the regulation specifically authorizes such extensions;
  - j. To approve changes in ownership or operational control of a commercial storage facility;
  - k. To approve or deny permit applications to operate PCB storage or disposal facilities;
  - l. To approve, approve modifications to, or release owners or operators from closure plans for commercial storage facilities.

Delegation of Authority from the  
Regional Administrator

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2. TO WHOM DELEGATED.

- a. The authorities under 1(a), 1(d), 1(e), 1(h), and 1(i), to the Branch Chiefs or equivalent, Compliance Assurance and Enforcement Division, or Branch Chiefs or equivalent, Multimedia Planning and Permitting Division and may not redelegate further.
- b. The authorities under 1(j), and 1(l) to the Branch Chiefs or equivalent, Multimedia Planning and Permitting Division and may not redelegate further.
- c. The authorities under 1(c) and 1(f) to the Director, Multimedia Planning and Permitting Division or equivalent and may not redelegate further.
- d. The authorities under 1(b) and 1(k) to the Director, Multimedia Planning and Permitting Division or equivalent and concurrence to the Branch Chiefs or equivalent, Compliance Assurance and Enforcement Division and may not redelegate further.
- e. The authorities under 1(g), to the Director, Compliance Assurance and Enforcement Division or equivalent and may not redelegate further.

3. LIMITATIONS.

- a. These authorities may only be exercised in regard to facilities which will operate or activities which will take place only in Region 6.
- b. The authority for facilities operating or activities taking place in more than one EPA region is reserved to the Assistant Administrator for Prevention, Pesticides, and Toxic Substances.

4. REDELEGATION AUTHORITY. This authority may not be redelegated.

5. ADDITIONAL REFERENCES. None

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